

REMARKS

Claims 1-10 and 12-28 were pending and rejected. Claims 1 and 10 have been amended, and Claims 3 and 13 have been cancelled. Support for the amendments may be found in the Specification as filed at least in paragraphs [0043] and [0053]. No new matter has been added. Thus, after entry of this amendment, Claims 1-2, 4-10, 12 and 14-28 are currently pending. Reconsideration is respectfully requested based on the following remarks.

The Rejections under 35 U.S.C. § 103(a)

Claims 1-4, 6-10, 12, 13, 15, 16, 18-22, 25 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Karakawa et al. (U.S. Patent No. 6,304,237), herein referred to as “Karakawa,” in view of Lind (U.S. Patent No. 6,069,601), herein referred to as “Lind,” and Takagi (U.S. Patent No. 6,522,338), herein referred to as “Takagi.”

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Karakawa in view of Lind and Takagi as applied to Claim 1, and further in view of Wada (U.S. Patent No. 6,972,736), herein referred to as “Wada.”

Claims 14 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Karakawa in view of Lind and Takagi as applied to Claims 5 and 10, and further in view of Baba (U.S. Patent Publication No. 2002/0122019), herein referred to as “Baba.”

Claims 23, 24, 26 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Karakawa in view of Lind and Takagi as applied to Claims 1 and 10, and further in view of Bianchi (U.S. Patent No. 5,744,795), herein referred to as “Bianchi.”

Of the above-referenced claims, Claims 1 and 10 independent. Accordingly, once allowability of Claims 1 and 10 is established, all claims depending therefrom are likewise allowable.

Claim 1, as amended, recites in part “a correction filter, the spectrum of the correction filter being based on the spectrum of an intended light used to view the proofed image when printed on said substrate” (emphasis added). Claim 10, as amended, recites in part “passing light through a correction filter, the spectrum of the correction filter being based on the spectrum of an intended light source used to view said proofed image when printed on said substrate” (emphasis added).

The Office Action acknowledges that “Karakawa does not explicitly teach a correction filter” (Office Action, page 5), and in rejecting Claim 3, the Office Action states “Lind teaches a correction filter being based on the spectrum of an intended light used to view the proofed image when printed on the substrate (Col. 3, lines 55-61 and FIG. 3)” (Office Action, page 6).

However, Lind only discloses “the selection of the particular colors for the pigmented acrylic or pigmented photoresist layer 34 can be made keeping in mind the particular inks and paper to be used in the final printing process, as well as the type of printing process (e.g., gravure, offset, flexography, etc. ...)” (emphasis added) (Lind, Col. 3, lines 56-61) and “the pigmented layers 23 may have spectral characteristics matched to non-process colors, such as red, green, and blue, or any other color, such as a color used in a particular trademark or other image” (emphasis added) (Lind, Col. 4, lines 6-9). Lind does not disclose a correction filter based on “the spectrum of an intended light source used to view” (emphasis added) the proofed image “when printed on said substrate” as recited in

Claims 1 and 10. There is no discussion in Lind of the intended light source used to view the image when printed. Thus, Lind does not disclose or suggest “a correction filter, the spectrum of the correction filter being based on the spectrum of an intended light used to view the proofed image when printed on said substrate” as recited in Claim 1, or “passing light through a correction filter, the spectrum of the correction filter being based on the spectrum of an intended light source used to view said proofed image when printed on said substrate” as recited in Claim 10.

None of the other references – Takagi, Wada, Baba or Bianchi – correct the defect of Lind and Karakawa.

For at least this reason, Applicants respectfully submit independent Claims 1 and 10, and all claims depending therefrom are patentable.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a).

CONCLUSION

In view of the remarks set forth above, it is submitted that the application is now believed to be in condition for allowance. Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 50-5029. If the Examiner has any questions or concerns, a telephone call to the undersigned at (408) 331-1674 is welcomed and encouraged.

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/signe m.a. holmbeck/

Signe M.A. Holmbeck

Attorney for Applicants

Reg. No. 46,484

Customer No. 90323

Innovation Counsel LLP

21771 Stevens Creek Boulevard, Suite 200

Cupertino, California 95014

Telephone: (408) 331-1670

Facsimile: (408) 725-8263

E-mail: sholmbeck@innovationcounsel.com